THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.16827 of 2004

Between:

M/s.Tirumalai Stone & Tele Merchants. ..
PETITIONER

and

The Commissioner of Police, Basheerbagh, and others.
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RESPONDENTS

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ORDER:

Inspite of the fact that the matter has been adjourned

ten times, there was no representation on 25-01-2007, and as such, the matter was posted "for dismissal".

Today also, when the matter is called, none appeared for the petitioner.

The grievance of the petitioner is that respondents 2 and 3 are trying to interfere with its peaceful possession and enjoyment of immovable property, without there being initiated any criminal case.

A counter has been filed stating that the 5th respondent lodged a complaint on 16-09-2004 alleging that the petitioner committed cognizable offence. Basing on the said complaint, a case in Cr.No.808 of 2004 was registered for the offences under Sections 380 and 448 IPC and the investigation is being completed in accordance with law. All other allegations made against the respondents have been denied.

In view of the aforesaid facts and circumstances of the case and as the criminal case is pending against the petitioner, I am of the opinion that no orders need be passed in this writ petition.

The writ petition is, accordingly, dismissed. There shall be no order as to costs.

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05-02-2007

Prv